

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

No. CR 17-2949-MV

DASHAWN ROBERTSON,

Defendant.

Order and Notice of Trial – Counts 1 and 2

THIS MATTER is before the Court on defendant's *Opposed Motion to Continue Trial* [28] and *Motion for Reconsideration* [247]. The Court has weighed the representations made in the motion and finds granting a continuance to resolve these issues outweighs the public and defendant's interest in a speedy trial pursuant to 18 U.S.C. § 3161, for the reasons set forth by the Court at its hearing on November 13, 2020.

Conducting a trial in the face of these facts would be contrary to the interests of justice. *Zedner v. United States* 126 S. Ct. 1976 (2006). Now, therefore,

IT IS ORDERED that the trial of this action be and hereby is continued from December 7, 2020, to **Monday, February 22, 2021, at 9:00 a.m.**, on a trailing docket, in the Rio Grande Courtroom at the United States Courthouse in Albuquerque, New Mexico, pursuant to 18 U.S.C. § 3161(h)(7)(A), with the following pretrial dates and deadlines. It is further ordered that the period of time from the entry of this Order until the new trial date shall be excluded from the time limitations set forth within 18 U.S.C. § 3161(c)(1).

<u>Event</u>	<u>Date/Deadline</u> Counsel must file all trial documents in accordance with this schedule until a Motion to Continue is GRANTED by the Court.
Pretrial Motions (Other than Motions in Limine)	No further substantive pretrial motions may be filed without leave of court.
Motion to Continue	January 25, 2021
Joint Jury Instructions, Witness and Exhibit Lists, Voir Dire	January 25, 2021
Objections to Witness and Exhibit Lists, Objections to Voir Dire	February 1, 2021
Motions in Limine/Response/Reply	No further Motions in Limine may be filed without leave of Court. Responses and Replies to Motions filed 14 days or more before this deadline are due in accordance with the Federal and Local Rules of Criminal Procedure. A continuation of the trial date does not extend the Response or Reply deadline for previously filed Motions in Limine.
Pretrial Conference	February 5, 2021, 9:30 a.m.
Jury Selection/Trial	February 22, 2021, 9:00 a.m.

In an effort to conserve judicial resources, the Court must be advised of all plea agreements no later than ten (10) working days prior to trial. The plea must be entered at least five (5) days prior to the trial date.



MARTHA VÁZQUEZ
UNITED STATES DISTRICT JUDGE

Linda Z. Romero, Courtroom Deputy - (505) 992-3826

Trial Preparation guidelines: <http://www.nmd.uscourts.gov/content/honorable-martha-vazquez>